

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Toshiaki Waga, et al.
 Serial No. : 10/597,805
 Filed : August 9, 2006
 For : Muscular Strength Enhancing Agent
 Examiner : Catheryne Chen
 Art Unit : 1655

INFORMATION DISCLOSURE STATEMENT

- [] 1 Pursuant to 37 CFR 1.97(b)
[within 3 months of filing or prior to 1st Office Action]
- [x] 2 Certification Pursuant to 37 CFR 1.97(c)
[before Final Office Action or Allowance]
- [] 3 Fee Payment Pursuant to 37 CFR 1.97(c)
[before Final Office Action or Allowance]
- [] 4 Petition, Certification & Petition Fee Payment Pursuant to 37 CFR 1.97(d)
[before issue fee payment]

Hon. Commissioner for Patents
 Alexandria, VA 22313-1450

Sir:

The following are submitted in the above-identified application in compliance with 37 CFR 1.97 & 1.98:

- [XX] 5 A list of documents on form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document is enclosed herewith.

This paper is submitted in accordance with:

- [] 6 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- [x] 7 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- [] 8 The required certification made in item 11 below; or
- [x] 9 The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 14 below.
- [] 10 37 CFR § 1.97(d): [before issue fee payment]; and

- (a) This is a petition for consideration of the subject Information Disclosure Statement. The petition fee (\$180.00) required by 37 CFR 1.17(i)(1) is authorized in item 14 below. (Direct this letter to "Attention PETITIONS EXAMINER" and if applicable include batch locator information: e.g., "Allowed Files, Batch _____, Date of Allowance _____"), and
- (b) The required Certification is stated in item 11 below.

[] 11 Certification

[] 12 Each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or

[] 13 No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this document after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three (3) months prior to the filing of this Statement.

[XX] 14 If any fees are due, please charge the applicable fees associated with the submittal of this Information Disclosure Statement to Deposit Account No. 07-0832. An original and one (1) copy of this document is enclosed.

Respectfully Submitted,
Toshiaki Waga et al.

By: _____

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April 28, 2008